

Submitted July 25, 2012
Approved as of
Date July 25, 2012

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 12-2012
Wednesday, May 23, 2012**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m., Wednesday, May 23, 2012.

PRESENT

David Hill, Chair
John Tyner
Jerry Callistein
Don Hadley
Kate Ostell
Dion Trahan

Absent: None

Present: Councilmember Bridget Newton, Council Liaison
Andrew Gunning, Assistant Director, CPDS
Marcy Waxman, Assistant City Attorney
Jim Wasilak, Chief of Planning
David Levy, Chief of Long Range Planning
Margaret Hall, Planner II
Ann Wallas, Planner III
Deane Mellander, Zoning Administrator

I. COMMISSION ACTION ITEMS

- A.** Chairman Hill proposed to postpone Final Record Plat PLT2012-00517, for the re-subdivision of the existing deeded lot at 104 West Jefferson Street into two record lots, for the purpose of referring the case to the Historic District Commission (HDC) for their courtesy review.

Commissioner Hadley moved, seconded by Commissioner Ostell, to refer the case to the HDC, with the public record received and with the following four referral points to be considered: 1) What is the impact of the proposed resubdivision on 104 West Jefferson Street?, 2) What is the impact of the proposed resubdivision on the West Montgomery Avenue Historic district?, 3) If the property were divided into equal lots, what is the HDC

opinion of the resubdivision?, 4) What would be the impact of the proposed lot on future designations on

South Van Buren Street? The motion passed on a 4-2 vote (Commissioners Callistein and Trahan voted No). The Commission directed there will be one open record for the HDC and Planning Commission review of the case.

- B.** Final Record Plat PLT2012-00514, to consolidate the existing property at 300 and 304 West Montgomery Avenue into a single record lot (Pumphrey's Funeral Home location). Margaret Hall presented her staff report. Soo Lee Cho, representing the applicant, answered several questions from the Commission and stated that the intent of the applicant remains the same, to stay where they are and to maintain their property.

The Public Hearing was opened and the following speaker addressed the Commission:

Jim Vitol of 11 Wall Street recommended to not approve the proposed record lot, stating that the Planning Commission would be taking a residential lot out of the City's inventory and combining it with a non-confirming use.

Commissioner Callistein moved, seconded by Commissioner Trahan, to approve record plat application PLT2012-00514, for re-subdivision of two parcels as a single record lot at 300 and 304 W. Montgomery Avenue, based on the finding that it meets the requirements outlined in the Staff Report. The motion failed by a vote of 2-4 (Commissioners Hadley, Hill, Ostell and Tyner voted No).

Commissioner Ostell moved, seconded by Commissioner Tyner, to deny the Final Record Plat application PLT2012-000517, stating that it is not in keeping with the Master Plan. The motion passed on a 4-2 vote (Commissioners Callistein and Trahan voted No).

II. REVIEW OF PLANNING COMMISSION ANNUAL REPORT 2011. Discuss the 2011 Annual Report before conveying it to the Mayor and Council and the Maryland Department of Planning, as required by Article 66B 3.09 of the Annotated Code of Maryland.

Ann Wallas presented the Annual Report and stated that a formal report will be submitted to Mayor and Council on June 18, 2012. She asked that a Planning Commission member could attend this meeting to be available during participation to address any questions Mayor and Council may have.

Commissioner Hadley moved, seconded by Commissioner Tyner, to approve the 2011 Planning Commission Annual Report with all noted changes. The motion passed on a 6-0 vote.

III. WORK SESSION ITEMS

Adequate Public Facilities Ordinance (APFO) Work Session #1. Discussion of school facilities standards generally, and how student generation rates and enrollment projections are prepared.

Deane Mellander led a discussion on the APFO school and facilities standard/enrollment and covered the following topics: funding, other communities with APFOs and how they align with their school districts, and how City schools fare under the county standards.

IV. COMMISSION ITEMS

- A. Staff Liaison Report – Mr. Gunning provided an update on the next Commission meeting.
- B. Old Business - None
- C. New Business - None
- D. Minutes
 - 1. Commissioner Hadley pointed out a clarification in the draft minutes for April 25, 2012, that he recused himself in the matter of 201 Upton Street.
Commissioner Hadley then moved, seconded by Commissioner Callistein, to approve the April 25, 2012 minutes. The motion passed on a 5-0 vote (Commissioner Trahan abstained).
- E. FYI Correspondence

V. ADJOURN

There being no further business Commissioner Hill moved, seconded by Commissioner Ostell, to adjourn the meeting at 11:43 p.m.

Respectfully Submitted,

Sandra Y. Driver, Commission Secretary